



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/797,062

03/11/2004

Junya Yada

Q80290

4704

23373 7590 07/31/2008

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

WORKU, NEGUSSIE

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

07/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/797,062	Applicant(s) YADA ET AL.	
	Examiner NEGUSSIE WORKU	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-13, 26 and 27 is/are allowed.
- 6) ☒ Claim(s) 14, 15 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/23/07; 02/13/06; 10/19/04; 07/29/04; 03/11/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Restriction

1. Applicant's election of Group II claims 1-28, in replay filed on 05/28/08 are acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP 818-103(a)).

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 10/23/07; 02/13/06; 10/19/04; 07/29/04 and 03/11/04, have been reviewed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement

Specification

4. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art. Where applicable, the abstract should include the following: (1) If a machine or apparatus, its organization and operation; (2) If an article, its method of making; (3) If a chemical compound, its identity and use; (4) If a mixture, its ingredients; (5) If a process, the steps. Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 14, 15 and 28 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either an asserted utility or a well established utility.

The claimed invention lacks patentable utility. Regarding to claims 14, 15 and 28, having a process completed program step, but lacks utility, Examiner respectfully suggests wherein “a computer program that when executed by a computer causes the computer to control scanner..” should be replaced by ““a computer-readable **medium encoded with** computer-executable instructions or program to control scanner...”

Therefore, claims 14-15 and 28 are rejected under **35 USC § 101**, as discussed in above indicated Office action.

Finally, the application is in condition for allowance as discussed below, except the 101 rejection as discussed above.

Allowable Subject Matter

7. Claims 1-28 are allowed.

Claims 1-11 are Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests an image processing apparatus comprising: an original stage; a scanner establishing at least one scan region at the original stage, scanning the scan region established at the original stage, and outputting image data corresponding to the scan region; an image processor accepting input of image data and carrying out processing on the image data; and a controller controlling the scanner and the processor, and carrying out operations in accordance with any of one or more operational modes including a first operational mode; wherein the controller, when carrying out operations in accordance with the first operational mode, controls the scanner so as to cause the scanner to establish the scan

Art Unit: 2625

region such that the scan region matches or is larger than a copy subject region at the original stage and such that the copy subject region is encompassed by the scan region; and controls the image processor so as to cause the image processor to accept input from the scanner of image data corresponding to the scan region and to output enlarged image data obtained by enlarging, so as to be larger than a dimension or dimensions of the print medium in either a horizontal direction or a vertical direction or in both a horizontal direction and a vertical direction, image data corresponding to the copy subject region that is encompassed by image data corresponding to the scan region.

Claims 12-13 also are Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests an image processing method capable of being carried out by scanner circuitry that scans an original stage and image processing circuitry that processes scan image data from the scanner circuitry, the image processing method comprising: a step in which at least one scan region is established such that the scan region matches or is larger than a copy subject region at the original stage and such that the copy subject region is encompassed by the scan region; a step in which the scan region is scanned and image data corresponding to the scan region is obtained; a step in which image data corresponding to the copy subject region that is encompassed by the obtained image data corresponding to the scan region is enlarged so as to be larger than a dimension or dimensions of the print medium in either a horizontal direction or a vertical direction

or in both a horizontal direction and a vertical direction; and a step in which the enlarged image data corresponding to the copy subject region is output.

Claims 14-15 are Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests computer program that when executed by a computer causes the computer to control scanner circuitry which scans an original stage and image processing circuitry which processes scan image data from the scanner circuitry, the computer program comprising: a program segment for causing at least one scan region to be established such that the scan region matches or is larger than a copy subject region at the original stage and such that the copy subject region is encompassed by the scan region; a program segment for controlling the scanner circuitry so as to cause the scan region to be scanned and image data corresponding to the scan region to be obtained; a program segment for controlling the image processing circuitry so as to cause image data corresponding to the copy subject region that is encompassed by the obtained image data corresponding to the scan region to be enlarged so as to be larger than a dimension or dimensions of the print medium in either a horizontal direction or a vertical direction or in both a horizontal direction and a vertical direction; and a program segment for controlling the image processing circuitry so as to cause the enlarged image data corresponding to the copy subject region to be output.

Claims 16-25 and 27 are Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests an image processing apparatus comprising: an original stage; a scanner establishing at least one scan region at the original stage, scanning the scan region established at the original stage, and outputting image data corresponding to the scan region; an image processor accepting input of image data, carrying out processing on the input image data, and outputting processed image data; and a controller controlling the scanner and the processor, and carrying out operations in accordance with any of one or more operational modes including a first operational mode; wherein the controller, when carrying out operations in accordance with the first operational mode, controls the scanner so as to cause the scanner to establish the scan region such that the scan region is smaller than a copy subject region at the original stage and such that the scan region is encompassed by the copy subject region; and controls the image processor so as to cause the image processor to accept input of image data corresponding to the scan region and output by the scanner, and to output enlarged image data obtained by enlarging, so as to be larger than a size of the print medium, image data corresponding to the scan region.

Claim 26 is Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests an image processing method capable of being carried out by scanner circuitry that scans an original stage and image processing circuitry that processes scan image data from the scanner

Art Unit: 2625

circuitry, the image processing method comprising: a step in which at least one scan region is established such that the scan region is smaller than a copy subject region at the original stage and such that the scan region is encompassed by the copy subject region; a step in which the scan region is scanned and image data corresponding to the scan region is obtained; a step in which the obtained image data corresponding to the scan region is enlarged so as to be larger than a dimension or dimensions of the print medium in either a horizontal direction or a vertical direction or in both a horizontal direction and a vertical direction; and a step in which the enlarged image data corresponding to the copy subject region is output.

Claim 28 is Allowed for the reasons the claimed invention are distinct from the prior art searched and of record neither anticipates nor suggests computer program that when executed by a computer causes the computer to control scanner circuitry which scans an original stage and image processing circuitry which processes scan image data from the scanner circuitry, the computer program comprising: a program segment for causing at least one scan region to be established such that the scan region is smaller than a copy subject region at the original stage and such that the scan region is encompassed by the copy subject region; a program segment for controlling the scanner circuitry so as to cause the scan region to be scanned and image data corresponding to the scan region to be obtained; a program segment for controlling the image processing circuitry so as to cause the obtained image data corresponding to the scan region to be enlarged so as to be larger than a dimension or dimensions of the print medium in either a horizontal direction or a vertical direction or in both a horizontal

direction and a vertical direction; and a program segment for controlling the image processing circuitry so as to cause the enlarged image data corresponding to the scan region to be output.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Application/Control Number: 10/797,062
Art Unit: 2625

Page 10

Examiner, Art Unit 2625